

REMARKS

Amendments of a clarifying nature have been made to claim 1.

The Examiner is incorrect in his rejection of claim 1 under 35 USC 102. First, Boudreaux does not appear to teach a Node B operating Internet Protocol. Second, Boudreaux does not disclose an Internet Protocol tunnel across the IuB interface between the Radio Network Controller and Node B. Third, as regards the amendment to claim 1, Boudreaux does not teach at least one IP tunnel across the IuB interface wherein transport channel frames containing signaling and data information are encapsulated and multiplexed into IP packets. More specifically, none of the cited passages of Boudreaux disclose these features. For example, column 1, lines 30 to 60 mentions TCP in passing in the context of handoffs, but does not mention the IuB interface.

Importantly, the passage of Boudreaux on column 4, lines 22 to 48 relates to GTP tunneling over a different interface to the Iub, namely Iu 134, between UMTS core network packet domain 112 and Radio Network Controllers, see Figure 1A right hand side.

The cited passage of Boudreaux on page 6, line 53 to column 7, line 65 also is concerned with communications between the RNC and the core network. In particular, it relates to RAB channels which are channels between RNC and core network, see column 6, lines 53 to 55, where the RAB channel can be a GTP tunnel (column 6 lines 57 to 58), and switching from a first GTP tunnel to a second GTP tunnel as a first Radio Network Controller is replaced by a second Radio Network Controller during handover.

It follows that the invention according to present claim 1 is not disclosed by Boudreaux but is patentably distinguished thereover.

New claims 8 and 9 contain analogous limitations. The dependent claims are allowable not least on the basis that they depend on claim 1 which is allowable for the reasons explained above.

In view of the above, applicants respectfully request reconsideration and allowance. In the event of any fees inadvertently omitted or any improper payment of fees, the Commissioner is hereby authorized to charge or credit Lucent Technologies Deposit Account No.12-2325 to correct the error now or during the pendency of this application.

If the Examiner has any questions or feels that a telephone conversation would be helpful, please contact Julio Garceran at (908) 582-7294.

Respectfully submitted,

Xiaobao X Chen

By



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Reg. No.: 37138

Date:

11/10/04

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Xiaobao X Chen

CASE 21

Serial No. 10/091977

Group Art Unit 2685

Filed March 6, 2002

Examiner T. Nguyen

Title Improved IP UTRAN

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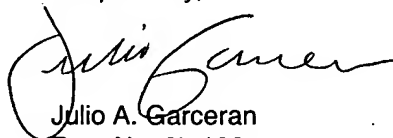
SIR:

Enclosed is an amendment in the above-identified application.

NO ADDITIONAL FEE REQUIRED

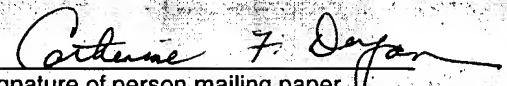
In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 12-2325** as required to correct the error.

Respectfully,


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| Date of Deposit <u>November 11, 2004</u> | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service First Class Mail in an envelope addressed to: Mail Stop <u>Amendment</u> , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated above. | |
| Catherine F. Dugan |  |
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